



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)
KATZ ET AL.)
Serial No. 09/891,031) Examiner Min JUNG
Filing Date: JUNE 25, 2001) Art Unit: 2663
Confirmation No. 9956) Attorney Docket:
For: USER SELECTABLE OVERLAP AND) 50563CON1
EN-BLOC DIALING OF ISDN LINE)
_____)

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Assignee, FLUKE CORPORATION, having a mailing address of 6920 Seaway Boulevard, Everett, Washington 98203, verifies through its duly authorized representative that it is the owner of all right, title and interest in United States Patent Application Serial No. 09/891,031 (hereinafter "the '031 Patent Application"), and has remained owner of all right, title and interest from the time of filing the original Assignment to the present. The Assignment was recorded on May 25, 2005, at Reel 016060, Frame 0949.

Assignee hereby disclaims, except as provided below, the terminal part of any patent granted on the '031 Patent Application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 of U.S. Patent No. 6,256,294. Assignee hereby agrees that any patent so granted on the '031 Patent Application shall be enforceable only for and during such period that it and the '294 Patent are commonly owned. This agreement runs

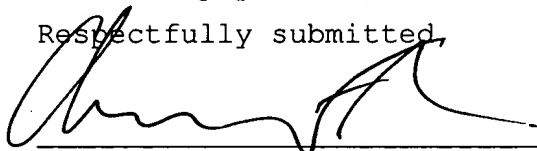
with any patent granted on the instant application and is binding upon the Grantee, its successors or assigns.

In making the above disclaimer, Assignee does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 to §156 and §173 of the prior patent, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term.

For submission on behalf of Assignee, the undersigned is the attorney of record.

The Commissioner is hereby authorized to charge the terminal disclaimer fee in the amount of \$130.00 to the credit card noted in the attached credit card payment form PTO-2038.

Respectfully submitted,



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CERTIFICATE OF MAILING

I HEREBY CERTIFY that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: COMMISSIONER OF PATENTS AND TRADEMARKS, P.O. Box 1450, Alexandria, VA 22313-1450, this 27th day of May, 2005.

